

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

v.

AUDIE RUSSELL YALLUP,  
Defendant.

No. CR-09-2061-LRS

ORDER DENYING THE  
DEFENDANT'S MOTION FOR  
RECONSIDERATION AND GRANTING  
MOTION TO EXPEDITE

☒ MOTION DENIED  
(Ct. Rec. 41)

☒ MOTION GRANTED  
(Ct. Rec. 44)

Date of bail hearing: August 10, 2009

☒ The court has conducted a bail review hearing and finds the following:

**FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

☒ Defendant has not met his burden of showing there are conditions he could be released on which establish that he would appear at future court hearings and comply with court orders.

☒ Defendant has a history of: ☒ Failures to appear  
☒ Failures to comply

☐ Defendant has few or no ties to the community.

☐ Defendant has a ☐ significant criminal history.

☐ Defendant has an outstanding warrant(s).

☐ Defendant does not have a suitable residence.

☐ Defendant appears to suffer from chemical dependency.

☐ The Grand Jury has found probable cause.

☒ Other: Defendant did not present verification of employment.

☐ The court finds the Defendant is not supervisable.

1 ☒ By a preponderance of the evidence there are no conditions or  
2 combination of conditions other than detention that will reasonably  
3 assure the appearance of Defendant as required.

4 ☐ By clear and convincing evidence there are no conditions or  
5 combination of conditions other than detention that will ensure the  
6 safety of the community.

7 ☐ Defendant is currently on probation/supervision resulting from  
8 a prior offense.

9 ☐ Bureau of Immigration and Customs Enforcement Detainer.

10 **IT IS ORDERED:**

11 1. Defendant shall continue to be held in detention pending  
12 disposition of this case or until further order of the court.

13 2. Defendant is committed to the custody of the U.S. Marshal  
14 for confinement separate, to the extent practicable, from persons  
15 awaiting or serving sentences or being held in custody pending  
16 appeal.

17 3. Defendant shall be afforded reasonable opportunity for  
18 private consultation with counsel.

19 DATED August 10, 2009.

20  
21 s/James P. Hutton  
22 JAMES P. HUTTON  
23 UNITED STATES MAGISTRATE JUDGE  
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